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Attorney for Defendant
JAMES KALFSBEEK

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES KALFSBEEK, et al.,

Defendants.

Cr. No. S-05-128 LKK

STIPULATION AND
ORDER TO CONTINUE STATUS
CONFERENCE AND FINDING
OF EXCLUDABLE TIME

The United States of America, through Assistant U.S. Attorney R. Steven Lapham, and defendant James Kalfsbeek, through his counsel Scott L. Tedmon; defendant Kurt Lakota, through his counsel Dwight M. Samuel; defendant Sherwood T. Rodrigues, through his counsel Robert J. Peters; defendant Blanche Hassall, through her counsel James R. Greiner; defendant Amy Polnoff, through her counsel Marcus D. Merchasin; defendant David Polnoff, through his counsel Steven F. Helfand; defendant Louise Renfro, through her counsel Candace A. Fry; and defendant Donna Rowe, through her counsel Joseph J. Wiseman, hereby stipulate and agree as follows:

1. The current status conference in this case is set for April 11, 2006 at 9:30 a.m.
2. At the July 21, 2005 status conference, time was excluded under the Speedy Trial Act through September 7, 2005 under Local Code T2, unusual and complex case, and under Local Code T4, need of counsel to prepare.

1 3. At the September 7, 2005 status conference, time was excluded under the Speedy Trial
2 Act through January 10, 2006 under Local Code T2, unusual and complex case, and under Local
3 Code T4, need of counsel to prepare.

4 4. On January 6, 2006, pursuant to a Stipulation and Order, time was excluded under the
5 Speedy Trial Act through April 11, 2006 under Local Code T2, unusual and complex case, an dunder
6 Local Code T4, need of counsel to prepare.

7 5. The parties stipulate and agree that the Court should reiterate its previous finding that time
8 should be excluded under the Speedy Trial Act in that this case is unusual and complex, for need of
9 counsel to prepare and that the ends of justice therefore outweigh the best interest of the public in
10 a speedy trial.

11 6. The 34-count Indictment in this case charges the defendants with a multitude of charges
12 including 18 U.S.C. §371 - Conspiracy; 18 U.S.C. §1341 - Mail Fraud; 18 U.S.C. §1343 - Wire
13 Fraud; 18 U.S.C. §1957 - Monetary Transactions in Criminally Derived Property; and 18 U.S.C.
14 §1956(a)(1)(B)(I) and 2 - Money Laundering and Aiding and Abetting.

15 7. The government has provided defense counsel with 2,530 pages of discovery. Counsel
16 for Mr. Kalfsbeek has met and conferred with Mr. Chris Lewis, the California Department of
17 Insurance investigator, on several occasions to review portions of the discovery and to determine the
18 quantity of discovery in this case. Based on counsel's review of the record, the hard copy discovery
19 in this case exceeds 400,000 pages. Additionally, there are several computers that were seized. The
20 computer hard drives need to be mirrored and reviewed by the defense. A review of this voluminous
21 discovery is necessary and relevant to defense counsel's full and proper preparation of the case.

22 8. Accordingly, it is hereby stipulated and the parties agree that the date for the status
23 conference in this matter be continued to July 11, 2006 at 9:30 a.m., and that time be excluded under
24 the Speedy Trial Act based on this case being unusual and complex pursuant to 18 U.S.C.
25 §3161(h)(8)(B)(ii), Local Code T2; for need of counsel to prepare pursuant to 18 U.S.C.
26 §3161(h)(8)(B)(iv), Local Code T4, and that the ends of justice therefore outweigh the best interest
27 of the public in a speedy trial.

The court date of July 11, 2006 has been approved by Ana Rivas. Finally, Scott L. Tedmon has been authorized by all counsel to sign this stipulation on their behalf.

IT IS SO STIPULATED.

DATED: April 5, 2006

McGREGOR W. SCOTT
United States Attorney

/s/ R. Steven Lapham
R. STEVEN LAPHAM
Assistant U.S. Attorney

DATED: April 5, 2006

LAW OFFICE OF SCOTT L. TEDMON

/s/ Scott L. Tedmon
SCOTT L. TEDMON
Attorney for James Kalfsbeek

DATED: April 5, 2006

LAW OFFICE OF DWIGHT M. SAMUEL

/s/ Dwight M. Samuel
DWIGHT M. SAMUEL
Attorney for Kurt Lakota

DATED: April 5, 2005

LAW OFFICE OF ROBERT J. PETERS

/s/ Robert J. Peters
ROBERT J. PETERS
Attorney for Sherwood T. Rodrigues

DATED: April 5, 2006

LAW OFFICE OF JAMES R. GREINER

/s/ James R. Greiner
JAMES R. GREINER
Attorney for Blanche Hassall

DATED: April 5, 2006

LAW OFFICE OF MARCUS D. MERCHASIN

/s/ Marcus D. Merchasin
MARCUS D. MERCHASIN
Attorney for Amy Polnoff

DATED: April 5, 2006

HELFAND LAW OFFICES

/s/ Steven F. Helfand
STEVEN F. HELFAND
Attorney for David Polnoff

DATED: April 5, 2006

LAW OFFICE OF CANDACE A. FRY

/s/ Candace A. Fry
CANDACE A. FRY
Attorney for Louise Renfro

1
2 DATED: April 5, 2006

LAW OFFICE OF JOSEPH J. WISEMAN

3
4 /s/ Joseph J. Wiseman
JOSEPH J. WISEMAN
5 _____
Attorney for Donna Rowe

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7 **ORDER**

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9 GOOD CAUSE APPEARING and based upon the above stipulation, the Court reiterates its
10 previous finding that time be excluded under the Speedy Trial Act in that this is an unusual and
11 complex case within the meaning of 18 U.S.C. §3161(h)(8)(b)(ii) [Local Code T2], for need of
12 counsel to prepare pursuant to 18 U.S.C. §3161(h)(8)(B)(iv), [Local Code T4] and that the ends of
13 justice therefore outweigh the best interest of the public in a speedy trial. Accordingly,

14 IT IS ORDERED that this matter is continued to July 11, 2006, at 9:30 a.m., for further
15 Status Conference.

16 IT IS FURTHER ORDERED that, pursuant to 18 U.S.C. §3161(h)(8)(B)(ii) and (iv), the
17 period from April 11, 2006, to and including July 11, 2006, is excluded from the time computations
18 required by the Speedy Trial Act.

19 **IT IS SO ORDERED.**

20 DATED: April 6, 2006

/s/ Lawrence K. Karlton
HONORABLE LAWRENCE K. KARLTON
21 Senior U.S. District Judge
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